

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
NEYSHA MARYD FONSECA MARCANO

CASE NO. 10-07482-SEK

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,854.00 Fees paid: \$682.50 Fees Outstanding: \$2,171.50
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With respect to the proposed (amended) Plan dated: **6/6/2011** (Dkt 30).

Plan Base: **31,070.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(5)]: Plan fails to provide for an allowed secured claim.

Allowed secured creditor Reliable Financial has neither amended nor withdrawn it's claim (claim 6) in the case of the stolen vehicle, therefore the Trustee cannot stop the disbursement to said creditor.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this June 15, 2011.

/s/ Jose R. Carrion

JOSE R. CARRION
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JQA